CONSOL,TYPE I−FOIA

U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:19−cv−00957−RBW

LEOPOLD et al v. U.S. DEPARTMENT OF JUSTICE et al
Assigned to: Judge Reggie B. Walton
Lead case: 1:19−cv−00810−RBW
Member case: (View Member Case)
Case: 1:19−cv−00810−RBW
Cause: 05:552 Freedom of Information Act

Date Filed: 04/04/2019
Jury Demand: None
Nature of Suit: 895 Freedom of Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff

JASON LEOPOLD

represented by **Joshua Hart Burday**
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243−5900
Fax: (312) 243−5902
Email: joshb@loevy.com
ATTORNEY TO BE NOTICED

Matthew Topic
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243−5900
Fax: (312) 243−5902
Email: matt@loevy.com
ATTORNEY TO BE NOTICED

Plaintiff

BUZZFEED INC.

represented by **Joshua Hart Burday**
(See above for address)
ATTORNEY TO BE NOTICED

Matthew Topic
(See above for address)
ATTORNEY TO BE NOTICED

V.

Defendant

U.S. DEPARTMENT OF JUSTICE

represented by **Courtney Danielle Enlow**
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20005
(202) 616−8467
Email: courtney.d.enlow@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Elizabeth J. Shapiro
U.S. DEPARTMENT OF JUSTICE
Civil Division, Federal Programs Branch
1100 L Street, NW
Washington, DC 20530
(202) 514−5302

Fax: (202) 616−8470
Email: Elizabeth.Shapiro@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DOJ OFFICE OF ATTORNEY GENERAL represented by **Courtney Danielle Enlow**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DOJ DEPUTY ATTORNEY GENERAL represented by **Courtney Danielle Enlow**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

DOJ OFFICE OF SPECIAL COUNSEL represented by **Courtney Danielle Enlow**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Movant

CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON represented by **Conor M. Shaw**
CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON
1101 K Street, NW
Suite 201
Washington, DC 20005
(202) 408−5565
Fax: (202) 588−5020
Email: cshaw@citizensforethics.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
04/04/2019	1	COMPLAINT against DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, U.S. DEPARTMENT OF JUSTICE (Filing fee $ 400 receipt number 0090−6041154) filed by JASON LEOPOLD, BUZZFEED INC.. (Attachments: # 1 Exhibit A − FOIA Request, # 2 Exhibit B − DOJ Response, # 3 Civil Cover Sheet Civil Cover Sheet, # 4 Summons Summons)(Topic, Matthew) (Entered: 04/04/2019)
04/04/2019	2	NOTICE of Appearance by Matthew Topic on behalf of BUZZFEED INC., JASON LEOPOLD (Topic, Matthew) (Entered: 04/04/2019)
04/04/2019	3	NOTICE of Appearance by Joshua Hart Burday on behalf of BUZZFEED INC., JASON LEOPOLD (Burday, Joshua) (Entered: 04/04/2019)
04/04/2019	4	LCvR 26.1 CERTIFICATE OF DISCLOSURE of Corporate Affiliations and Financial Interests by BUZZFEED INC. (Topic, Matthew) (Entered: 04/04/2019)
04/04/2019	5	MOTION for Preliminary Injunction by BUZZFEED INC., JASON LEOPOLD (Attachments: # 1 Exhibit A − Leopold Decl, # 2 Text of Proposed Order Proposed Order)(Topic, Matthew) (Entered: 04/04/2019)
04/04/2019	6	MOTION to Expedite *Plaintiff's Request for Expedited Preliminary Injunction Hearing*, MOTION for Hearing re 5 MOTION for Preliminary Injunction by BUZZFEED INC., JASON LEOPOLD (Attachments: # 1 Text of Proposed Order Proposed Order)(Topic, Matthew) (Entered: 04/04/2019)

04/05/2019		Case Assigned to Judge Timothy J. Kelly. (zsb) (Entered: 04/05/2019)
04/05/2019	7	SUMMONS (6) Issued Electronically as to DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, U.S. DEPARTMENT OF JUSTICE, U.S. Attorney and U.S. Attorney General (Attachment: # 1 Notice and Consent)(zsb) (Entered: 04/05/2019)
04/08/2019	8	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 4/5/2019. Answer due for ALL FEDERAL DEFENDANTS by 5/5/2019. (Topic, Matthew) (Entered: 04/08/2019)
04/09/2019	9	Case reassigned to Judge Reggie B. Walton as there is an earlier related case. Judge Timothy J. Kelly is no longer assigned to the case. (rj) (Entered: 04/11/2019)
04/11/2019	10	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that the defendants shall file their opposition to the plaintiffs' motion for a preliminary injunction on or before 12:00 p.m. on April 15, 2019. It is further ORDERED that the plaintiffs shall file their reply in support of their motion on or before 12:00 p.m. on April 16, 2019. It is further ORDERED that the 6 Plaintiffs' Request for Expedited Preliminary Injunction Hearing is GRANTED IN PART and DENIED IN PART. The motion is granted to the extent that the plaintiffs seek a hearing on their motion for a preliminary injunction. The motion is denied in all other respects. It is further ORDERED that the parties shall appear before the Court for a hearing on the Plaintiffs' Combined Motion for Preliminary Injunction and Memo in Support on April 16, 2019, at 2:00 p.m. Signed by Judge Reggie B. Walton on April 11, 2019. (lcrbw1) (Entered: 04/11/2019)
04/11/2019	11	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that, on or before April 19, 2019, the parties in the above−captioned matters shall SHOW CAUSE as to why the cases should not be consolidated. Signed by Judge Reggie B. Walton on April 11, 2019. (lcrbw1) (Entered: 04/11/2019)
04/11/2019	12	NOTICE of Appearance by Courtney Danielle Enlow on behalf of All Defendants (Enlow, Courtney) (Entered: 04/11/2019)
04/12/2019		Set/Reset Deadlines: Responses to Show Cause Order due by 4/19/2019. (hs) (Entered: 04/12/2019)
04/12/2019		Set/Reset Deadlines/Hearings: Response due by 4/15/2019 Reply due by 4/16/2019. Motion Hearing set for 4/16/2019 at 02:00 PM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 04/12/2019)
04/12/2019	13	RESPONSE TO ORDER TO SHOW CAUSE by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, U.S. DEPARTMENT OF JUSTICE re 11 Order, . (Attachments: # 1 Text of Proposed Order)(Enlow, Courtney) (Entered: 04/12/2019)
04/12/2019	14	RESPONSE re 5 MOTION for Preliminary Injunction filed by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, U.S. DEPARTMENT OF JUSTICE. (Attachments: # 1 Text of Proposed Order, # 2 Index to Exhibits, # 3 Exhibit, # 4 Exhibit)(Enlow, Courtney) (Entered: 04/12/2019)
04/12/2019	15	MOTION to Vacate 10 Order on Motion to Expedite,,,, Order on Motion for Hearing,,, *Motion to Vacate Hearing on Plaintiffs' Motion for a Preliminary Injunction* by DOJ DEPUTY ATTORNEY GENERAL, DOJ OFFICE OF ATTORNEY GENERAL, DOJ OFFICE OF SPECIAL COUNSEL, U.S. DEPARTMENT OF JUSTICE (Attachments: # 1 Text of Proposed Order, # 2 Index to Exhibits, # 3 Exhibit, # 4 Exhibit)(Enlow, Courtney) (Entered: 04/12/2019)
04/15/2019	16	REPLY to opposition to motion re 5 MOTION for Preliminary Injunction *Plaintiffs' Reply in Support of Their Motion for Preliminary Injunction* filed by BUZZFEED INC., JASON LEOPOLD. (Topic, Matthew) (Entered: 04/15/2019)
04/16/2019	17	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that the Defendants' Opposition to Plaintiffs' Motion for a Preliminary Injunction and Defendants' Motion to Vacate Hearing is Denied, Signed by Judge

		Reggie B. Walton on April 16, 2019. (lcrbw1) (Entered: 04/16/2019)
04/16/2019		Minute Entry for proceedings held before Judge Reggie B. Walton: Motion Hearing held on 4/16/2019 re 5 MOTION for Preliminary Injunction filed by BUZZFEED INC., JASON LEOPOLD. Oral argument heard, and motion is DENIED for reasons stated on the record. Status conference remains scheduled for 5/2/19 @ 10am in case 19 cv 810. (Court Reporter: Lisa Edwards.) (tj) (Entered: 04/16/2019)
04/18/2019	18	ORDER. In accordance with the Court's oral rulings issued at the motion hearing held on April 16, 2019, it is hereby ORDERED that the 5 Plaintiffs' Combined Motion for Preliminary Injunction and Memo in Support is DENIED WITHOUT PREJUDICE. Specifically, the motion is denied because the plaintiffs have not satisfied their burden of demonstrating that they have a substantial likelihood of success on the merits of their claim and that they face irreparable harm in the absence of an injunction. It is further ORDERED that the government shall file its answer to the plaintiffs' Complaint on or before April 25, 2019. It is further ORDERED that the parties shall appear before the Court on May 2, 2019, at 10:00 a.m. to discuss how the parties wish to proceed in this case. Signed by Judge Reggie B. Walton on April 18, 2019. (lcrbw1) (Entered: 04/18/2019)
04/19/2019		Set/Reset Deadlines: Answer to the Complaint due by 4/25/2019, (hs) (Entered: 04/19/2019)
04/19/2019		Set/Reset Hearings: Status Conference set for 5/2/2019 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 04/19/2019)
04/19/2019	19	NOTICE *Plaintiffs' Position on Consolidation* by BUZZFEED INC., JASON LEOPOLD (Topic, Matthew) (Entered: 04/19/2019)
04/22/2019	20	ORDER. In accordance with the reasons stated in the attached Order, it is hereby ORDERED that the parties' obligations under the Court's April 11, 2019 Order to Show Cause are DISCHARGED. It is further ORDERED that, to the extent that the plaintiffs in the above−captioned matters are seeking the release of the Special Counsel Mueller's report regarding the investigation into Russian interference in the 2016 United States presidential election, Case No. 19−cv−810 is CONSOLIDATED with Case No. 19−cv−957. It is further ORDERED that the parties shall make all future filings only in Case No. 19−cv−810, and the Clerk of the Court shall refuse to accept any filings in Case No. 19−cv−957. Signed by Judge Reggie B. Walton on April 22, 2019. (lcrbw1) (Entered: 04/22/2019)
04/22/2019		Cases consolidated. Cases 19−cv−810 and 19−cv−957 have been consolidated pursuant to an Order entered 4/22/19. From this date forward, all pleadings shall be filed ONLY in the lead case, Civil Action No. 19cv810. The parties are advised NOT to select the SPREAD TEXT option when filing in ECF, as this will result in repetitive docketing and emails. (ztd) (Entered: 04/25/2019)
04/23/2019	21	TRANSCRIPT OF MOTIONS HEARING before Judge Reggie B. Walton held on April 16, 2019; Page Numbers: 1−18. Date of Issuance: April 23, 2019. Court Reporter/Transcriber Lisa Edwards. Telephone number (202) 354−3269. Transcripts may be ordered by submitting the Transcript Order Form For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter r eferenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi−page, condensed, CD or ASCII) may be purchased from the court reporter. **NOTICE RE REDACTION OF TRANSCRIPTS:** The parties have twenty−one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov. Redaction Request due 5/14/2019. Redacted Transcript Deadline set for 5/24/2019. Release of Transcript Restriction set for 7/22/2019.(Edwards, Lisa) (Entered: 04/23/2019)

05/02/2019		Minute Entry for Status Conference proceedings held on 5/2/2019 before Judge Reggie B. Walton: Defendant's summary judgment motions due by 6/3/2019. Plantiffs'response to the summary judgment and cross motions for summary judgment due by 6/24/2019. Reply to motions for summary judgment and response to cross motions due by 7/8/2019. Reply to cross motions due by 7/15/2019. Status Report on the remaining records due by 6/17/2019. Status Conference set for 7/2/2019 at 10:00 AM in Courtroom 16. Status Conference set for 8/5/2019 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (Court Reporter Cathryn Jones) Associated Cases: 1:19−cv−00810−RBW, 1:19−cv−00957−RBW(gdf) (Entered: 05/02/2019)
06/17/2019		Set/Reset Hearings: Status Conference reset for 7/2/2019 at 12:00 PM in Courtroom 16 before Judge Reggie B. Walton. Associated Cases: 1:19−cv−00810−RBW, 1:19−cv−00957−RBW(hs) (Entered: 06/17/2019)
06/19/2019	22	MOTION for Leave to File Excess Pages by BUZZFEED INC., JASON LEOPOLD, BUZZFEED INC., JASON LEOPOLD (Attachments: # 1 Text of Proposed Order Proposed Order)Associated Cases: 1:19−cv−00810−RBW, 1:19−cv−00957−RBW(Topic, Matthew) (Entered: 06/19/2019)
06/20/2019		Set/Reset Hearings: Status Conference reset for 8/9/2019 at 02:30 PM in Courtroom 16 before Judge Reggie B. Walton. Associated Cases: 1:19−cv−00810−RBW, 1:19−cv−00957−RBW(hs) (Entered: 06/20/2019)
06/28/2019	23	MOTION for Leave to File *amicus curiae brief* by CITIZENS FOR RESPONSIBILITY AND ETHICS IN WASHINGTON (Attachments: # 1 Exhibit Proposed Amicus Brief, # 2 Exhibit Proposed Order, # 3 Exhibit Corporate Disclosure Statement)Associated Cases: 1:19−cv−00810−RBW, 1:19−cv−00957−RBW(Shaw, Conor) Modified event title on 7/3/2019 (znmw). (Entered: 06/28/2019)
07/02/2019	24	Memorandum in opposition to re (75 in 1:19−cv−00810−RBW, 23 in 1:19−cv−00957−RBW) MOTION to Intervene *as amicus curiae* filed by U.S. DEPARTMENT OF JUSTICE. Associated Cases: 1:19−cv−00810−RBW, 1:19−cv−00957−RBW(Shapiro, Elizabeth) (Entered: 07/02/2019)
07/08/2019		Set/Reset Deadlines: Reply to Motion for Summary Judgment and Response to Cross Motions due by 7/12/2019. Reply to Cross Motions due by 7/19/2019. Associated Cases: 1:19−cv−00810−RBW, 1:19−cv−00957−RBW(gdf) (Entered: 07/08/2019)
07/19/2019	25	REPLY to opposition to motion re (73 in 1:19−cv−00810−RBW) MOTION for Summary Judgment *Plaintiff Jason Leopold's and BuzzFeed Inc.'s Motion for Summary Judgment*, (71 in 1:19−cv−00810−RBW) Cross MOTION for Summary Judgment *and Motion for In Camera Review* filed by BUZZFEED INC., ELECTRONIC PRIVACY INFORMATION CENTER, JASON LEOPOLD. (Attachments: # 1 Exhibit 1)Associated Cases: 1:19−cv−00810−RBW, 1:19−cv−00957−RBW(Butler, Alan) (Entered: 07/19/2019)
07/31/2019		Set/Reset Hearings: Status Conference set for 8/5/2019 at 10:00 AM in Courtroom 16 before Judge Reggie B. Walton. (hs) (Entered: 07/31/2019)
08/05/2019		Minute Entry; for proceedings held before Judge Reggie B. Walton: Oral Argument held on 8/5/2019. Memorandum\Order to issue via Chambers. (Court Reporter Cathryn Jones) (hs) (Entered: 08/05/2019)
08/12/2019	26	TRANSCRIPT OF PROCEEDINGS before Judge Reggie B. Walton held on August 5, 2019; Page Numbers: 1 − 96. Court Reporter/Transcriber Cathryn Jones, Telephone number 2023543246, Transcripts may be ordered by submitting the Transcript Order Form<P></P><P></P>For the first 90 days after this filing date, the transcript may be viewed at the courthouse at a public terminal or purchased from the court reporter referenced above. After 90 days, the transcript may be accessed via PACER. Other transcript formats, (multi−page, condensed, CD or ASCII) may be purchased from the court reporter.<P>**NOTICE RE REDACTION OF TRANSCRIPTS:** The parties have twenty−one days to file with the court and the court reporter any request to redact personal identifiers from this transcript. If no such requests are filed, the transcript will be made available to the public via PACER without redaction after 90 days. The policy, which includes the five personal identifiers specifically covered, is located on our website at www.dcd.uscourts.gov.<P></P> Redaction Request due 9/2/2019. Redacted Transcript Deadline set for 9/12/2019. Release of Transcript

		Restriction set for 11/10/2019.(Jones, Cathryn) (Entered: 08/12/2019)